

# DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## INTERLEUKIN-1 RECEPTOR ANTAGONIST-RELATED MOLECULES AND USES THEREOF

the specification of which is attached hereto unless the following space is checked:

☒ was filed on November 28, 2000 as United States Application Serial Number 09/724,859.

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate or §365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

	<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>
1.			
2.			

I hereby claim the benefit of 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

	<u>Application Number</u>	<u>Filing Date</u>
1.	60/170,105	December 10, 1999
2.		

I hereby claim the benefit under 35 U.S.C. §120 of any United States Provisional application(s) or §365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information which is material to patentability as defined in 35 U.S.C. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

	<u>Application Number</u>	<u>Filing Date</u>	<u>Status: patented, pending, abandoned</u>
1.			
2.			

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I hereby appoint the practioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and I direct that all correspondence be addressed to that Customer Number.

Customer Number: 020306  
Principal attorney or agent: Kevin E. Noonan  
Telephone number: 312-913-0001

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Frank J. Calzone

Inventor's signature: Frank J. Calzone Date: 2-13-01  
Residence: 841 Pine Crest Circle, Westlake Village, California 91361  
Citizenship: United States  
Post Office Address: 841 Pine Crest Circle, Westlake Village, California 91361

Full name of second joint inventor: Roland Luethy

Inventor's signature: R. Luethy Date: 2-13-01  
Residence: 3979 San Marcos Court, Newbury Park, California 91320  
Citizenship: Switzerland  
Post Office Address: 3979 San Marcos Court, Newbury Park, California 91320

Full name of third joint inventor: Michael J. Boedigheimer

Inventor's signature: M. J. Boedigheimer Date: 2-13-01  
Residence: 3192 Holloway Court, Newbury Park, California 91320  
Citizenship: United States  
Post Office Address: 3192 Holloway Court, Newbury Park, California 91320

Full name of fourth joint inventor: Jun Zhu

Inventor's signature: Jun Zhu Date: 2/13/01  
Residence: 3898 Calle Buena Vista, Newbury Park, California 91320  
Citizenship: United States  
Post Office Address: 3898 Calle Buena Vista, Newbury Park, California 91320

Full name of fifth joint inventor: Young-ah Chung

Inventor's signature: Young-ah Chung Date: \_\_\_\_\_  
Residence: 689 McCloud Avenue, Apt. A209, Thousand Oaks, California 91320  
Citizenship: United States  
Post Office Address: 689 McCloud Avenue, Apt. A209, Thousand Oaks, California 91320

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Full name of sixth joint inventor: Shuqian Jing

Inventor's signature: [Signature] Date: 2-13-01

Residence: 3254 Bordero Lane, Thousand Oaks, California 91362

Citizenship China

Post Office Address: 3254 Bordero Lane, Thousand Oaks, California 91362

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**ASSIGNMENT**

Whereas, we, Frank J. Calzone, 841 Rim Crest Circle, Westlake Village, California 91361  
Roland Luethy, 3979 San Marcos Court, Newbury Park, California 91320  
Michael J. Boedigheimer, 3192 Holloway Court, Newbury Park, California 91320  
Jun Zhu, 3898 Calle Buena Vista, Newbury Park, California 91320  
Young-ah Chung, 689 Mc Cloud Avenue, Apt. A209, Thousand Oaks, California 91360  
Shuqian Jing, 3254 Bordero Lane, Thousand Oaks, California 91362

have made an invention which is the subject of an application for Letters Patent of the United States ("Application") entitled

INTERLEUKIN-1 RECEPTOR ANTAGONIST-RELATED MOLECULES AND USES THEREOF

which is found in:

- ☐ (a) the U.S. Patent Application executed on even date herewith;
- ☐ (b) the U.S. Patent Application executed on \_\_\_\_\_
- ☐ (c) U.S. Patent Application Serial No.: 09/724,859 filed on November 28, 2000  
 which claim benefit to U.S. Provisional Serial No.: 60/170,105, filed December 10, 1999.
- ☐ (d) U.S. Patent No.: \_\_\_\_\_

Whereas AMGEN INC., a Delaware corporation having its principal place of business at One Amgen Center Drive, Thousand Oaks, California 91320-1799 wishes to acquire the entire interest in all inventions disclosed in such Application:

Now, therefore, in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over unto AMGEN INC., its successors and assigns (collectively "AMGEN") my entire right, title and interest in, to and under the Application, and any provisional application(s) from which Application is derived, and all priority rights to which the Application may be entitled, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all Letters Patent of the United States and of all other countries which may be granted for such inventions, or any of them, including divisional, continuation, and/or continuation-in-part applications based on the above-identified Application, all such inventions and all rights in such Application and Letters Patent to be held and enjoyed by AMGEN for its own use and enjoyment to the full end of the term or terms for which such Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by me had this assignment and sale not been made.

Further, I hereby sell, assign, transfer, and set over unto AMGEN my entire right, title and interest in or to the right to refer to, to access, and to control microorganism(s) or other biological material(s) related to the Application and which are deposited by me or at my direction or deposited on my behalf by Amgen, its affiliates, employees or employees of its affiliates. The transfer of such right, title and interest includes, without limitation, my unreserved and irrevocable consent and authorization to AMGEN to refer to the deposited microorganisms(s) or other biological materials(s) in the Application and the right to make available to the public the deposited material in accordance with the laws, treaties, statutes, rules, regulations and the like of the United States, all other countries, and any patent granting authority or organization.

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I authorize and request the Commissioner of Patents and Trademarks of the United States to issue any such Letters Patent which may be granted on the Application to AMGEN as assignee of the entire right, title and interest therein and thereto.

For myself and for my legal representatives, I covenant and agree with AMGEN that I have not granted to any others any license to make, use or sell any such inventions, that my right, title and interest in such inventions has not been encumbered, that I have good right and title to sell and assign the same, and that I will not execute any instrument in conflict herewith.

For myself and for my heirs, successors and legal representatives, I further covenant and agree with AMGEN that upon request I and they will: (i) execute continuing, divisional, or reissue applications, amended specifications, or rightful declarations or oaths; (ii) communicate to AMGEN any facts known to me or them relating to such inventions or the history thereof; (iii) execute preliminary statements and testify in any interference proceedings or litigation; (iv) execute and deliver any application papers, assignments, or other instruments; and (v) do all other acts which, in the opinion of counsel for AMGEN, may be necessary or desirable to secure the grant of Letters Patent to AMGEN or its nominees, in the United States and in all other countries where AMGEN may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by counsel for AMGEN and to vest and confirm in AMGEN or its nominees the full and complete legal and equitable title to all such Letters Patent, without further consideration than that now paid but at the expense of AMGEN.

In Witness Whereof I have executed this assignment on the 2 day of 13 2001

Frank J. Calzone  
(Name of Inventor)

Frank J. Calzone  
(Signature of Inventor)

### UNITED STATES OF AMERICA

State of California } ss:  
County of Ventura }

February 13 2001

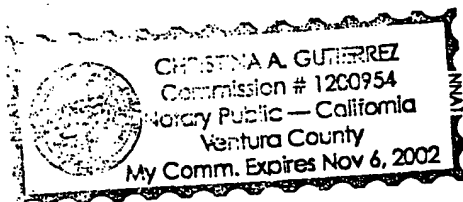
Before me, a Notary Public for Ventura County, State of California, personally appeared

Frank J. Calzone

☒ personally known to me - OR -

☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Christina A. Gutierrez  
Notary Public

My commission expires

November 6 2002

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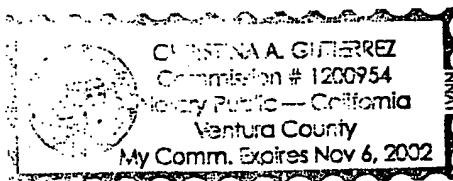
In Witness Whereof I have executed this assignment on the 13 day of Feb 2001Roland Luethy  
(Name of Inventor)*RL*  
(Signature of Inventor)

## UNITED STATES OF AMERICA

State of California } ss:  
County of Ventura }February 13 2001Before me, a Notary Public for Ventura County, State of California, personally appeared  
Roland Luethy

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

*Christina A. Gutierrez*  
Notary Public  
My commission expires  
November 6 2002

BEST AVAILABLE COPY

In Witness Whereof I have executed this assignment on the 13 day of 2 2001

Michael J. Boedigheimer  
(Name of Inventor)

*Michael J. Boedigheimer*  
(Signature of Inventor)

UNITED STATES OF AMERICA

State of California } ss:  
County of Ventura }

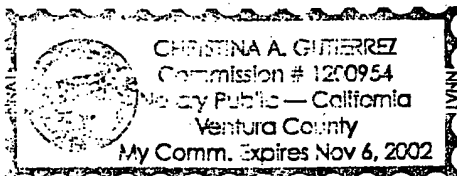
February 13 2001

Before me, a Notary Public for Ventura County, State of California, personally appeared

Michael J. Boedigheimer

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Christina A. Gutierrez*  
Notary Public

My commission expires

November 6 2002

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In Witness Whereof I have executed this assignment on the 13<sup>th</sup> day of Feb. 20 01

Jun Zhu  
(Name of Inventor)

[Signature]  
(Signature of Inventor)

**UNITED STATES OF AMERICA**

State of California } ss:  
County of Ventura }

February 13 2001

Before me, a Notary Public for Ventura County, State of California, personally appeared

Jun Zhu

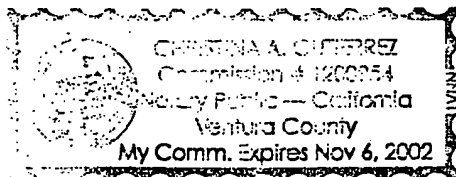
☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/~~she~~ executed the same in his/~~her~~ authorized capacity, and that by his/~~her~~ signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Christina A. Gutierrez  
Notary Public

My commission expires

November 6 2002





In Witness Whereof I have executed this assignment on the 13 day of February 2001

Young-ah Chung  
(Name of Inventor)

*Young-ah Chung*  
(Signature of Inventor)

UNITED STATES OF AMERICA

State of California } ss:  
County of Ventura }

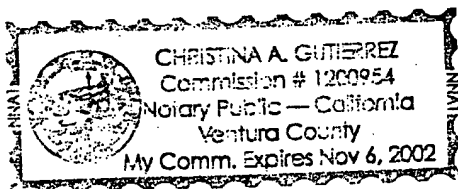
February 13 2001

Before me, a Notary Public for Ventura County, State of California, personally appeared

Young-ah Chung

- ☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



*Christina A. Gutierrez*  
Notary Public

My commission expires

November 6 2002

In Witness Whereof I have executed this assignment on the 13 day of February 2001

Shuqian Jing  
(Name of Inventor)

[Signature]  
(Signature of Inventor)

**UNITED STATES OF AMERICA**

State of California } ss:  
County of Ventura }

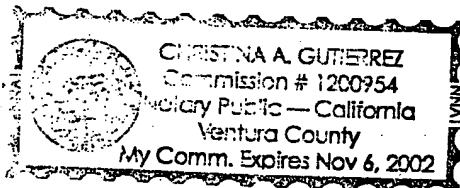
February 13 2001

Before me, a Notary Public for Ventura County, State of California, personally appeared

Shuqian Jing

☒ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



Christina A. Gutierrez  
Notary Public

My commission expires  
November 6 2002

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